

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE:) CASE NUMBER: **13-17066**
SCOTT M. DIPAOLA) Chapter 7 Proceeding
)
Debtor(s)) Judge: **PAT E. MORGESTERN-CLAREN**
)

Motion for Order on Debtor to Turnover Property

Now comes Virgil E. Brown, Jr, Trustee in the above mentioned case and hereby moves this Honorable Court for an Order upon the Debtor, *SCOTT M. DIPAOLA* to Turnover to him certain property or the value thereof and respectfully represents to the Court as follows:

- I. That he is the duly appointed Trustee in the above-captioned proceedings, which were commenced by the filing on 10/04/13 of a voluntary petition for relief under Chapter 7 of the Bankruptcy Code.
- II. That at all times relevant to these proceedings, the Debtor(s), SCOTT M. DIPAOLA was owner of the following items of property: a 2009 Harley Davidson Motorcycle
- III. That the asset(s) described above is/are property of the within Estate as defined in Section 541 of the Bankruptcy Code.
- IV. That said asset(s) should be turned over to the Trustee.

Wherefore your Trustee prays for an Order directing the Debtor(s) SCOTT M. DIPAOLA to turnover the a 2009 Harley Davidson Motorcycle to Virgil E. Brown, Jr., at 2136 Noble Road, Cleveland, Ohio within 15 days of the court's order.

Respectfully submitted,

/s/ Virgil Brown
Virgil Brown Jr. (0003675)
Attorney for Trustee
2136 Noble Road
Cleveland, Ohio 44112
(216) 851-3304
(216)851-2900 Fax
virgil@vebtrustee.com

NOTICE OF HEARING

Please take notice that the foregoing Motion will be on for hearing February 27, 2014 at 8:30 am in Courtroom 2A, in the United States Bankruptcy Court located at 201 Superior Ave., Cleveland, Ohio 44114.

The above hearing is scheduled to consider the Motion and any written objection which is filed and served no later than seven (7) calendar days preceding the date scheduled for such hearing. If no objection are filed and served within such time, the Motion may be granted without hearing. The Court from time to time without further notice may adjourn the hearing.

CERTIFICATE OF SERVICE

I certify that on January 28, 2014, a true and correct copy of the Motion for Order on Debtor to Turn over Property was served:

Via the court's Electronic Case Filing System on these entities and individuals who are listed on the court's Electronic Mail Notice List:

DEBRA E BOOHER at www.bankruptcyinfo.com on behalf of client SCOTT M. DIPAOLA
U.S. Trustee Registered address@usdoj.gov

And by regular U. S. Mail postage prepaid to the following and all parties in interest on the attached service list this January 28, 2014

Debtor:

SCOTT M. DIPAOLA
1310 EAST 331 STREET
EASTLAKE, OH 44095-2810

/s/ Virgil Brown
Virgil Brown 0003675
2136 Noble Road
Cleveland, Ohio 44112
216-851-3304
virgil@vebtrustee.com

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NOTICE OF MOTION FOR ORDER ON DEBTOR TO TURNOVER PERSONAL PROPERTY

TO PARTIES IN INTEREST:

Virgil E. Brown, Jr., Chapter 7 Trustee has filed papers with the Court requesting Debtor be ordered to turn over to him certain personal property:

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do have an attorney, you may wish to consult one.)

If you do not want the Court to grant the Motion, or if you want the Court to consider your views on the Motion, then on or before February 20, 2014, you or your attorney must:

File with the Court a written request for hearing or if the Court requires a written response, an answer, explaining your position at

UNITED STATES BANKRUPTCY COURT
Northern District of Ohio
Howard M. Metzenbaum United States Courthouse
201 Superior Avenue
Cleveland, OH 44114-1235

If you mail your request or response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

You must also mail a copy to:

Virgil Brown
2136 Noble Rd.
Cleveland, OH 44112

and

OFFICE OF THE UNITED STATES TRUSTEE
H. M. Metzenbaum Federal Courthouse
Room 441
201 Superior Avenue

Cleveland, OH 44114

Attend the hearing set for February 27, 2014, at **at 8:30 am in Courtroom 2A**, in the United States Bankruptcy Court, 201 Superior Avenue, Cleveland, Ohio 44114.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the obtaining of the relief sought in the Motion and may enter an Order granting that relief.

/s/ Virgil Brown

Virgil Brown
2136 Noble Road
Cleveland, OH 44112
(216) 851-3304
(216) 851-2900 Fax
Email: virgil@vебtrustee.com

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of the foregoing notice of motion filing was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Attorney for Debtor
DEBRA E BOOHER at www.bankruptcyinfo.com on behalf of SCOTT M. DIPAOLA

Office of the U. S. Trustee
U.S. Trustee Registered address@usdoj.gov

And by regular U. S. Mail postage prepaid to the following and all parties in interest on the attached service list this January 28, 2014:

Debtor
SCOTT M. DIPAOLA
1310 EAST 331 STREET
EASTLAKE, OH 44095-2810

/s/ Virgil Brown
Virgil Brown
2136 Noble Rd.
Cleveland, Oh 44112